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410 Rec'd PCT/PTO 11 MAY 2000

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|--|--|--|--|---|
| FORM PTO-1390<br>REV. 5-93   |  | US DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE |  | ATTORNEYS DOCKET NUMBER<br><b>P00,0365</b>                            |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  |  |  | U.S. APPLICATION NO. (if known, see 37 CFR 1.51)<br><b>09/486,908</b> |
|  |  |  |  |   |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/DE99/02009</b>   |  | INTERNATIONAL FILING DATE<br><b>01 JULY 1999</b>         |  | PRIORITY DATE CLAIMED<br><b>03 JULY 1998</b>                          |
| TITLE OF INVENTION<br><b>"DATA STORAGE DEVICE"</b>   |  |  |  |   |
| APPLICANT(S) FOR DO/EO/US<br><b>STEFAN PFAB</b>  |  |  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |  |   |
| <ul style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.</li><li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li><li>5. <input type="checkbox"/> A copy of International Application as filed (35 U.S.C. 371(c)(2)) - drawings attached.<ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ul></li><li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)) - drawings attached.</li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ul style="list-style-type: none"><li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ul> |  |  |  |   |
| Items 11. to 16. below concern other document(s) or information included:  |  |  |  |   |
| <ul style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).</li><li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.<br/>(SEE ATTACHED ENVELOPE)</li><li>13. <input type="checkbox"/> Amendment "A" Prior to Action.<ul style="list-style-type: none"><li><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li></ul></li><li>14. <input type="checkbox"/> A substitute specification.</li><li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li><li>16. <input checked="" type="checkbox"/> Other items or information:<ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Response to Notification of Missing Requirements</li><li>b. <input checked="" type="checkbox"/> EXPRESS MAIL #EL 568799004US dated May 11, 2000</li></ul></li></ul>  |  |  |  |   |

05/18/2000 PVLPE 00000030 09486908

01 FC:154

130.00 OP

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)  
**09/486,908**

INTERNATIONAL APPLICATION NO.  
**PCT/DE99/02009**

ATTORNEY'S DOCKET NUMBER  
**P00,0365**

17. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):**

Search Report has been prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) .. \$670.00

No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but  
international search fee paid to USPTO (37 C.F.R. 1.445(a)(2)) ..... \$760.00

Neither international preliminary examination fee (37 C.F.R. 1.482) nor international  
search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO ..... \$970.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all  
claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS

PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months  
from the earliest claimed priority date (37 C.F.R. 1.492(e)).

| Claims | Number Filed | Number Extra | Rate |
|--------|--------------|--------------|------|
|--------|--------------|--------------|------|

|              |           |   |            |
|--------------|-----------|---|------------|
| Total Claims | 15 - 20 = | 0 | X \$ 18.00 |
|--------------|-----------|---|------------|

|                    |          |   |            |
|--------------------|----------|---|------------|
| Independent Claims | 02 - 3 = | 0 | X \$ 78.00 |
|--------------------|----------|---|------------|

|                           |  |  |            |
|---------------------------|--|--|------------|
| Multiple Dependent Claims |  |  | \$260.00 + |
|---------------------------|--|--|------------|

**TOTAL OF ABOVE CALCULATIONS =**

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also  
be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)

**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☒ 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be  
accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property

**TOTAL FEES ENCLOSED =**

Amount to be  
refunded

charged

a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be  
filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Hill & Simpson  
A Professional Corporation  
85th Floor Sears Tower  
Chicago, Illinois 60606

**SIGNATURE**

Steven H. Noll

**NAME**

28,982  
**Registration Number**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

|  |      |   |                              |
|--|------|---|------------------------------|
| U.S. APPLICATION NO.<br>09/486,918                           | PFAB | FIRST NAMED APPLICANT<br>S                      | ATTY. DOCKET NO.<br>P00,0365 |
| HILL & SIMPSON<br>85TH FLOOR SEARS TOWER<br>CHICAGO IL 60606 |      | INTERNATIONAL APPLICATION NO.<br>PCT/DE99/02009 |                              |
|  |      | I.A. FILING DATE<br>07/01/99                    | PRIORITY DATE<br>07/03/98    |
| DATE MAILED: 05/02/00  |      |   |                              |

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 03 MAR 2000 and

☒ Information Disclosure Statement(s) filed 03 MAR 2000 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☐ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other Certificate of Express Filing, Formal Drawings (2 sheets)

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Francine Young  
National Stage Processing  
Paralegal Specialist  
(703) 305-3662

COPY

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**"Express Mail" Mailing Label Number** EL 568799004US

**Date of Deposit:** May 11, 2000

I hereby certify that this CORRESPONDENCE IS BEING DEPOSITED WITH THE United States Postal "Express Mail Post Office To Addressee" SERVICE UNDER 37 CFR 1.10(c) on the date indicated above and is addressed to:

**BOX PCT  
Assistant Commissioner for Patents  
Washington, D. C. 20231**

**Case Number:** P00,0365

**International Application No.**  
PCT/DE99/02009

**International Filing Date**  
01 July 1999

**Priority Date Claimed**  
03 July 1998

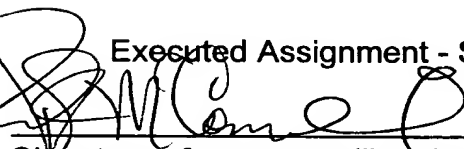
**Title:** "DATA STORAGE DEVICE"

**Applicant:** Stefan Pfab

**Enclosed are the following documents:**

PTO 1390 in duplicate;  
Form PCT/DO/EO/905  
Executed Declaration  
Fee \$130.00  
Postcard

Executed Assignment - Separate Envelope w/postcard, PTO 1595, \$40.00 fee.

  
\_\_\_\_\_  
Signature of person mailing documents and fees